

Physician Owned Single Specialty Ambulatory Surgery Centers

The Center for Medicare and Medicaid Services (CMS) requires Ambulatory Surgery Centers to be a “distinct entity” from an adjacent physician’s office, in accordance with the CMS 416.2 definition.

This separation may be accomplished by the following:

- 1) A complete separation of all physical space used by the ASC in accordance with the Life Safety Code. CMS has interpreted this to mean a one-hour separation around all physical space that is used by the ASC.

This includes non-clinical spaces, such as the reception area, waiting room and public restrooms.

OR

- 2) The non-clinical spaces, such as a reception area, waiting room and restrooms may be shared with the adjacent physician’s office provided they are temporally separated.

In other words, the same physical premises may be used by the ASC and the physician’s office, so long as they are separated in their usage by time. In essence this means that the ASC and the physician’s office are not providing services simultaneously, if using shared space.

For plan approval by this office please provide the following:

- A) A floor plan of the ASC and the adjacent physician’s office with the one-hour rated partition shown. This separation shall be approved by the State Fire Marshal’s office.
- B) Separate waiting rooms, reception areas and restrooms for the ASC and the physician’s office. (Note: in office buildings with public restrooms located off the common exit corridors a restroom is not required for the waiting room, however separate patient and staff restrooms are required within the ASC.)
- C) If a common waiting room, reception area and public toilet is desired for the ASC and adjacent physician’s office then the facility shall provide to this office and to the Health Care Facility Regulation Division, Acute Care Unit, a notarized statement on company letterhead, signed by a member of the governing body or his/her official designee, that the physicians practice and the ASC will not use shared space at the same time.

This letter shall state that the ASC and the adjacent physician’s office will be temporally separated in accordance with CMS 416.2 requirements. Without this letter item B above will be required for the plans to be approved.